

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6409**

**BILL NUMBER:** SB 129

**NOTE PREPARED:** Dec 4, 2007

**BILL AMENDED:**

**SUBJECT:** Notice of Meetings.

**FIRST AUTHOR:** Sen. Mrvan

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires a public agency to give notice of the agency's meetings to any person who makes an annual request for notice. The bill also requires the public agency to charge a \$10 fee for providing notice by mail. The bill requires notice to be given not less than five business days before a meeting that does not deal with an emergency.

**Effective Date:** July 1, 2008.

**Explanation of State Expenditures:** This bill will have an indeterminable fiscal impact on all public agencies (as defined in IC 5-14-1.5-2). Any possible increase in expenditures by the changes to notice requirements under this bill will be offset by the requirement that any notice by mail request must be accompanied by a \$10 fee.

This bill requires that *ANY* person who delivers an annual written request for notice:

- (1) to be provided such notice; and
- (2) choose to get such notice in one of three ways; by fax, by email, or by U.S. postage.

The bill provides that if a person chooses notice by U.S. postage, the public agency *MUST* charge an annual fee of \$10.

Under current law, a public agency is only required to provide notice by fax, email, or postage to "all news media which delivered" an annual written request for notice. The increase will ultimately depend upon the number of people who request notices and who were not previously receiving notices. The impact is not necessarily negative because the incremental cost in providing fax or email notices is not nearly as significant

as providing notice by U.S. postage. Therefore, the fee requirement provided in the bill should offset most of the possible increase in expenditures by allowing more people to request notice.

**Background:** Under IC 5-14-1.5-2 "public agency" means the following:

- (1) Any board, commission, department, agency, authority, or other entity, by whatever name designated, exercising a portion of the executive, administrative, or legislative power of the state.
- (2) Any county, township, school corporation, city, town, political subdivision, or other entity, by whatever name designated, exercising in a limited geographical area the executive, administrative, or legislative power of the state or a delegated local governmental power.
- (3) Any entity which is subject to either:
  - (A) budget review by either the Department of Local Government Finance or the governing body of a county, city, town, township, or school corporation; or
  - (B) audit by the State Board of Accounts.
- (4) Any building corporation of a political subdivision of the state of Indiana that issues bonds for the purpose of constructing public facilities.
- (5) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing body of a public agency, except medical staffs or the committees of any such staff.
- (6) The Indiana Gaming Commission established by IC 4-33, including any department, division, or office of the commission.
- (7) The Indiana Horse Racing Commission established by IC 4-31, including any department, division, or office of the commission.

**Explanation of State Revenues:** See *Explanation of State Expenditures*.

**Explanation of Local Expenditures:** See *Explanation of State Expenditures*.

**Explanation of Local Revenues:** See *Explanation of State Expenditures*.

**State Agencies Affected:** All.

**Local Agencies Affected:** All.

**Information Sources:**

**Fiscal Analyst:** Adam Brown, 317-232-9854.